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OFFICE OF PETITIONS

In re Application of :
Irwin Klein et al :
Application No. 09/998,346 : DECISION GRANTING PETITION
Filed: November 30, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 830004-2001.2 :

This is a decision on the petition under 37 CFR 1.137(b), filed February 5, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Declaration; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Office Notice of January 10, 2002 and May 3, 2002, is accepted as having been unintentionally delayed.

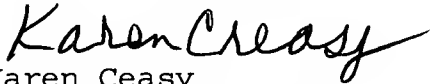
Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$1,005 extension of time submitted with the petition on February 5, 2004 was subsequent to the maximum period obtainable for reply, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

Application No. 09/998,346

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The application file is being forwarded to the Office of Initial Patent Examination.

A handwritten signature in cursive script that reads "Karen Ceasy".

Karen Ceasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy